



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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Hon. Sylvia O. Hinds-Radix  
*Corporation Counsel*

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October 5, 2022

**BY ECF**

Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Jonathan Corbett v. Kathleen Hochul, et al., 22 CV 5867 (LGS)

Dear Judge Schofield:

I am an attorney in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York. I submit this letter on behalf of Defendants Eric Adams, Mayor of the City of New York, Keechant Sewell, Commissioner of the New York City Police Department ("NYPD"), and NYPD Inspector Hugh Bogle, all sued in their official capacity (collectively "City Defendants").

City Defendants write, in accordance with Section I(B)(2) of your Honor's Individual Rules and Procedures for Civil Cases, to seek an extension of time to submit opposition papers to Plaintiff's motion for a preliminary injunction. Plaintiff filed his renewed motion for a preliminary injunction on or about September 28, 2022 (Docket Entry Nos. 48 and 49), and pursuant to your Honor's Order dated September 13, 2022 (Docket Entry No. 32), the Defendants' time to respond to such motion is October 11, 2022.

While this case was commenced on or about July 11, 2022, by the filing of the initial complaint, the City Defendants were not named as defendants until on or about September 13, 2022, with the filing of the First Amended Complaint. Moreover, City Defendants were not served, according to Plaintiff, until at least September 27, 2022. Thus, City Defendants were not privy to the prior history of this case and were not involved with the briefing of Plaintiff's initial motion for a preliminary injunction. Given the City Defendants' recent participation in this matter, additional time is needed to prepare a response to Plaintiff's motion for a preliminary injunction. Such time is necessary to adequately research the issues in this developing field of law and consult with the New York City Police Department regarding Plaintiff's application for

a firearm license. The issues at stake in this litigation are obviously of high import as they concern a State statute that became effective on September 1, 2022, and an injunction could alter the status quo and impact law enforcement and firearm licensing officials Statewide.

I endeavored to obtain Plaintiff's consent to this request by calling him yesterday morning at the phone number listed on the final page of the First Amended Complaint; the call went to voicemail and I left a message. I then followed up the telephone call with an email to the email address listed on the final page of the First Amended Complaint: [jon@corbettrights.com](mailto:jon@corbettrights.com). Both in the voicemail message and in my email, I identified myself as counsel for the City Defendants and requested consent, in accordance with your Honor's rules, to extend the City Defendants' deadline to oppose the preliminary injunction motion until October 21, 2022. No response to the voicemail message or email correspondence has been received as of the writing of this letter. I have also spoken to Todd A. Spiegelmann, Esq., the attorney for the State Defendants, and he joins in this request.

This is the City Defendants' first request for an extension of time to oppose the Plaintiff's renewed motion for a preliminary injunction. This request would impact Plaintiff's time to file any reply papers, currently due on or before October 18, 2022. City Defendants do not object to whatever date Plaintiff or the Court deems appropriate for Plaintiff to submit a reply to the opposition papers.

For the reasons stated above, this Office requests that the Court grant an extension from October 11, 2022 to October 21, 2022, to oppose Plaintiff's motion for a preliminary injunction.

Thank you in advance for your consideration of this matter.

Respectfully submitted,



Nicholas Ciappetta  
Senior Counsel